

REMARKS

Introduction

Claims 1-7 are pending, of which claims 1 and 4 are independent. Claims 1-3 have been withdrawn.

Claims 4 and 7 have been amended to correct informalities in the claim language and to more clearly define the present subject matter. Support for the amendment is found, for example, at page 11, lines 24-25 and page 12, lines 20-22. Care has been taken to avoid introducing new matter.

Claim Rejection - 35 U.S.C. §112, first paragraph

Claims 4-7 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserts that the limitation “the second electrode includes at least a first circuit electrode and a second circuit electrode” is not supported by the specification. Applicants disagree,

Applicants respectfully submit that FIGS. 1 and 2 clearly illustrate more than one circuit electrode 2 as the second electrode. Thus, the above language is clearly supported by the original disclosure, and thus claims 4-7 comply with the written description requirement. Nonetheless, Applicants have amended claim 4 to more clearly define the present subject matter. Applicants submit that the amendment made to claim 4 overcomes this rejection.

Claim Rejection - 35 U.S.C. §112, second paragraph

Claims 4-7 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully submit that the amendment made to claim 4 overcomes this rejection.

Claim Rejection - 35 U.S.C. §103

Claims 4-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maeda et al. (US 6,189,771) in view of Mei (US 6,680,128) and further in view of the collective teachings of Kodas (US 6,951,666) and Kang et al (US 5,837,119). This rejection is traversed for at least the following reasons.

Applicants respectfully submit that, at a minimum, none of the cited references discloses or suggests that “*in the surface of the metal powder which is not in contact with the molten solder, the surface of the core metal is exposed while the surface metal is taken into the core metal by dissolution,*” as recited by amended claim 4. In rejecting original claim 4, the Examiner asserts that it would be inherent that the surface metal dissolves into the core metal to take it in. However, in amended claim 4, in the surface of the metal powder which is not in contact with the molten solder, the surface of the core metal is exposed while the surface metal is taken into the core metal by dissolution, which is clearly not inherent. Applicants respectfully note that the fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993). Applicants further note that “[t]o establish inherency, the extrinsic evidence ‘must make clear that the missing descriptive matter is necessarily present in the thing described in the reference.’” *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999).

Based on the foregoing, Applicants respectfully submit that claim 4 and all claims dependent thereon are patentable over the cited references. Thus, it is requested that the Examiner withdraw the rejection of claims 4-7 under 35 U.S.C. § 103(a).

Conclusion

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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